

# The University of Denver

## Student Rights & Responsibilities

### Procedures for Student Organizations

The University will address allegations that a Student Organization may have violated [University Policies](#), including but not limited to the [Honor Code](#), the Student Organization Handbook, as well as applicable policies of affiliated state, regional, national, or international organizations, as specified in these procedures.

The [Office of Student Rights & Responsibilities](#) has the authority to investigate and resolve alleged violations related to Student Organizations pursuant to the [Honor Code](#) and these procedures. In any instance in which these procedures require additional clarity, or these procedures conflict with the Honor Code, the Honor Code will generally take precedence. The Director of Student Rights & Responsibilities has the discretion to determine the applicable procedures and to delegate responsibility for such investigation or adjudication.

Action taken against Student Organizations is an extension of the University's Student Rights & Responsibilities [process](#). The Office of Student Rights & Responsibilities, in consultation with relevant campus partners, including, but not limited to, Athletics & Recreation and Student Affairs & Inclusive Excellence staff, may take whatever action deemed necessary to respond to complaints involving Student Organizations and/or to prevent future violations.

The University uses the Student Rights & Responsibilities process to address both individual Student behavior and conduct as well as organizational behavior and conduct. The investigation and/or adjudication of individuals does not absolve the Student Organization of responsibility for the alleged violations, nor does the investigation and/or adjudication of organizational responsibility absolve individuals of their responsibility for the alleged violations.

Throughout this document, the term Student Organization will be understood to refer to all student groups which meet the definition of Student Organization whether it is a Registered Student Organization (RSO) or not.

## Responsibilities

**Recognition:** Groups seeking recognition as a Registered Student Organization must comply with the relevant application procedures.

**Compliance:** Student Organizations are subject to and must abide by all [University Policies](#). The University expects that officers and members of Student Organizations, whether RSOs or other groups that meet the definition of a Student Organization, know and abide by all University Policies.

**Governing Bodies/Affiliated Organizations:** The University acknowledges that some Student Organizations have governing bodies and/or affiliations with state, regional, national, or international organizations that have developed position statements or regulations concerning certain conduct that [University Policies](#), including the [Honor Code](#), prohibit, such as hazing and other forms of misconduct. The

University will resolve reported violations of the Honor Code and other University Policies and may report applicable alleged violations to the Student Organization's governing body and/or affiliated organizations.

## Procedures

**Reporting:** The reporting [process](#) for alleged violations of [University Policies](#) involving Student Organizations is the same as that set forth in the [Honor Code](#). The [Office of Student Rights & Responsibilities](#) will refer reports of alleged violations of the University's [Discrimination and Harassment Policy](#), including gender-based violence, to the [Office of Equal Opportunity & Title IX](#) as set forth in the Honor Code.

**Initial Assessment:** Upon receipt of a report of an alleged violation of University Policies involving a Student Organization(s), the Director of Student Rights & Responsibilities (or designee), in consultation with the appropriate Office, will conduct a preliminary assessment to determine if there is a reasonable basis for conducting an investigation into the alleged violations of University Policies. This initial assessment will include a review of the information reported. This may include, but is not limited to:

- interview(s) with the person(s) who made the report;
- interviews with relevant witnesses or those with access to relevant information;
- interviews with members of the Student Organization;
- interviews with individuals identified by the Student Organization;
- review of any materials related to the report and/or interviews.

If the Director of Student Rights & Responsibilities (or designee) determines that there is a reasonable basis for conducting an investigation into the alleged violations of University Policies, the Director of Student Rights & Responsibilities (or designee) will assess which resolution option is most appropriate based on multiple criteria, including, but not limited to:

- The nature and severity of the incident(s);
- The Student Rights & Responsibilities history of the Student Organization;
- The current status of the Student Organization; and
- Any other relevant factors the Director of Student Rights & Responsibilities deems appropriate and reasonable.

### Interim Measures:

In cases where it is determined that the continued presence or certain continued operations of a Student Organization constitutes: (a) a threat to the safety, security or welfare of the University community; and/or (b) an unreasonable obstruction to accomplishing the University's lawful mission, the Director of Student Rights & Responsibilities (or designee) may issue interim measures, up to and including an **Interim Suspension** of all Student Organization activities, pending final disposition of the matter. Upon issuance of an interim measure, the Director of Student Rights & Responsibilities or designee will notify the Student Organization representative and other appropriate parties in writing.

If a Student Organization wishes to seek a review of these interim measures, the Student Organization must submit a written request for an administrative review to the Director of Student Rights & Responsibilities (or designee). This administrative review should happen within five (5) business days of the University of Denver's receipt of the request. This administrative review is not a hearing on the merits

of the underlying allegations, but is merely a review to determine what, if any, interim measures are appropriate. The review may lead to a continuance, revocation, and/or modification of the interim measures, including modifications that may be more restrictive than the initial measures.

**Notification:** If the Director of Student Rights & Responsibilities (or designee) determines during the initial assessment that there is reasonable basis for proceeding with an investigation of the alleged violation(s) of [University Policies](#), the [Office of Student Rights & Responsibilities](#) will send a notification to the president (or equivalent leadership position) of the Student Organization and the Student Organization's applicable advisor(s) via the email address supplied to the University office with oversight of that Student Organization. This notification will include:

- The alleged violation(s) of University Policies to be discussed;
- Date(s), location(s), and timeframe of alleged violation(s);
- Process for designating an official representative for the Student Organization; and
- A time, date, and location for an informational meeting.

**Official Representative:** The Student Organization must designate an officer/leader as the official representative to make decisions on behalf of the Student Organization during the informational meeting and throughout the Student Rights & Responsibilities process. The Student Organization must inform the Director of Student Rights & Responsibilities (or designee) of the name and contact information for the designated individual at least 24 hours prior to the informational meeting. The official representative must be a current DU student and member of the Student Organization. The decisions of this representative will be binding for the Student Organization. If the Student Organization does not report an official representative to the Director of Student Rights & Responsibilities (or designee) within the specified timeframe, the Director of Student Rights & Responsibilities (or designee) will appoint the president (or equivalent leadership position) of the Student Organization as the official representative.

**Advisor:** The Student Organization may designate an advisor(s) to attend the informational meeting. The Student Organization must inform the Director of Student Rights & Responsibilities (or designee) of the name and contact information for the advisor at least 24 hours prior to the informational meeting. The advisor is subject to the following restrictions:

- In the case of fraternity or sorority chapters, a housing board or corporation officer or other national advisor may attend the informational meeting in an advisory capacity only.
- Advisor(s) may accompany and be present at any meeting and may consult directly with the Student Organization that they are advising in a way that does not disrupt or delay the meeting.
- The University may exclude any advisor(s) who act in a manner contrary to these limitations or otherwise disrupts any meeting from that meeting and/or future proceedings pursuant to these procedures.
- The advisor(s) may not:
  - speak on behalf of the Student Organization or any individual member of the Student Organization during the informational meeting or any future proceedings pursuant to these procedures.
  - be witnesses;
  - present information on behalf of any individual member or the Student Organization;
  - submit documents on behalf of any individual member or the Student Organization;
  - represent any individual member or the Student Organization; or
  - otherwise actively participate in any proceeding pursuant to these procedures.

**Informational Meeting:** This meeting provides an opportunity for the leadership of a Student Organization to discuss and understand these procedures. Participation in the Informational Meeting is voluntary; however, the Director of Student Rights & Responsibilities (or designee) may proceed with the process in the absence of participation from the Student Organization. The Director of Student Rights & Responsibilities (or designee) will outline for the leadership of a Student Organization the applicable resolution options available to address the alleged policy violation(s).

## Resolution Options

**Partnership Process:** For this resolution process, the Student Organization conducts an internal investigation. The [Office of Student Rights & Responsibilities](#) will provide the Student Organization with an investigative report template for the Student Organization to complete. The Office of Student Rights & Responsibilities is available to consult with the Student Organization throughout the investigation. The Partnership Process should include:

- The Student Rights & Responsibilities Administrator ([SRRA](#)) provides the Student Organization representative with information on conducting an internal investigation and the investigative report template.
- The Student Organization must submit the written investigative report within in five (5) business days of the informational meeting, or as otherwise specified in writing by the SRRA.
- The SRRA will review the Student Organizations investigative report and will schedule a resolution meeting to discuss the report and findings, address concerns, and review next steps.
- If, during the Partnership Process, the Director of Student Rights & Responsibilities (or designee) determines that the Student Organization has provided inaccurate or incomplete information, the Director of Student Rights & Responsibilities (or designee) will determine whether the process will continue as a Student Accountability Board or Administrative Action.
- **Responsibility Accepted:** If the Student Organization accepts responsibility for the alleged policy violation(s), and the SRRA does not identify any other discrepancies or concerns, the SRRA will discuss proposed Outcomes with the Student Organization.
- **Responsibility NOT Accepted:** If the Student Organization does not accept responsibility for the alleged policy violation(s), the SRRA will further review and determine, based on the preponderance of the evidence, if the Student Organization was or was not more likely than not responsible for the alleged policy violation(s). If the SRRA determines that the Student Organization is responsible, the SRRA will issue an Outcome Letter that includes responsibility for University policy violation(s) and the assigned Outcomes. If the SRRA determines that the Student Organization is not responsible, the SRRA will close the case.

Determinations of responsibility and Outcomes assigned through the Partnership Process are final and may not be appealed.

**Investigation:** If the Director of Student Rights & Responsibilities (or designee) determines the Partnership Process is not an appropriate resolution option, the Director of Student Rights & Responsibilities may designate a Student Rights & Responsibilities Administrator, a University Official, or an external investigator (hereafter referred to as Investigator(s)) to conduct an investigation on behalf of the [Office of Student Rights & Responsibilities](#). The investigation process should include:

- Interviews of involved parties and witnesses, review of documents, and gathering of all relevant information concerning the alleged policy violation(s);
- An opportunity for the Student Organization or other involved parties to provide relevant information to the Investigator(s);
- The Investigator(s) has the discretion to determine the relevance of submitted information to the investigation;
- The Investigator(s) will prepare a draft written report that summarizes the relevant information. The Student Organization leadership will have an opportunity to review the draft report and offer relevant, factual written comments within five (5) business days from receipt of the draft report;
- The Investigator(s) will complete a final written report and include a recommendation regarding responsibility based upon a preponderance of the evidence; and

The Director of Student Rights & Responsibilities will review the report and determine if adjudication will proceed through Administrative Action or a Student Accountability Board.

**Administrative Action:** The Investigator(s) will conduct an investigation into the alleged policy violation(s) and make a determination regarding responsibility and assign appropriate Outcomes. The Investigator(s) may take one of the following actions based on a preponderance of the evidence standard:

- Find the Student Organization not responsible for the alleged violations of University policies; or
- Find the Student Organization responsible for violating the alleged violations of University policies and impose appropriate Outcomes.

Determinations of responsibility and Outcomes assigned through the Administrative Action resolution process are final and may not be appealed.

**Student Accountability Board (SAB):** The Investigator(s) will present the final investigative report and all relevant information to a SAB. The Student Organization Official Representative leadership will have an opportunity to participate in the SAB. The process for a SAB should include:

- The SAB will be comprised of three (3) eligible *University Community* members selected from a pool of eligible SAB members and one chairperson.
  - The Chairperson should be the Director of Student Rights & Responsibilities (or designee);
  - The role of the chairperson is to facilitate the SAB and advise regarding the proper process;
  - Criteria for serving on a SAB are set forth in the [Honor Code](#).
- If possible, at least one member of the SAB should be a University faculty member, a University staff member, and/or a University student.
  - If the Student Organization is a chapter under the Office of Fraternity & Sorority Life, if possible, at least one (1) member of the SAB should be an undergraduate student who is a member of a similar Student Organization.
  - If the Student Organization is funded through Undergraduate Student Government or Graduate Student Government, if possible, at least one (1) member of the SAB should be a student who nominated by the USG or GSG president.

## Outcomes

The [Office of Student Rights & Responsibilities](#) will administer all Outcomes assigned to Student Organizations. The Outcomes may be assessed singly, in combination, or to follow consecutively (e.g., a Student Organization may have its recognition rescinded and be allowed to return as a Student Organization on probation at the completion of the time of rescinded recognition). The Outcomes Letter will list Outcomes assigned, including the length of any probation and/or rescission periods, the specific privileges to be forfeited, and any and all other conditions established as a part of the imposed Outcomes.

The Office of Student Rights & Responsibilities will maintain the Outcome Letter in the Student Organization's record for a period of no less than seven (7) years. If a Student Organization is removed from campus, the Office of Student Rights & Responsibilities will maintain the Outcome Letter indefinitely. If applicable, a copy of the Outcome Letter may be sent to the relevant governing body and/or affiliated organizations.

The Office of Student Rights & Responsibilities and the applicable University office will oversee the completion of Outcomes.

If the Student Organization misses any deadlines, fails to complete any Outcomes, and/or has a subsequent violation(s), the Student Organization may face additional Outcomes and/or Student Rights & Responsibilities actions.

**Status Outcomes** include, but are not limited to:

- A **Warning** is given to notify a Student Organization that the behavior and conduct has been inconsistent with the expectations of the University. A warning has no immediate effect upon a Student Organization's status at the University. However, once given a warning, a Student Organization should expect different Outcomes to result from any subsequent violations.
- **Probation** serves to notify a Student Organization that it must avoid any further violations for a specified period of time in order to remain a Student Organization at the University. Student Organizations on probation are not in good standing with the University. As a result, a Student Organization may be prohibited from participating in certain activities or forfeit specific privileges while on probation. If a Student Organization on probation is found responsible for any subsequent violations, more severe Outcomes may be considered.
- A Student Organization placed on **Suspension** is prohibited from sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus. A suspended Student Organization may not solicit or initiate any new members. Suspension may also include the forfeiture of other specifically listed privileges.
- **Rescission/Removal** is the most serious penalty that the University may impose on a Student Organization. Rescission includes, but is not limited to the revoking of the University's registration of the Student Organization for a stated or an indeterminate period of time, cessation of University funding, restriction of all operations at the University, and restriction of use of University resources. If the Student Organization also holds a charter from a governing body and/or affiliated organization, the University may also request that the governing body and/or affiliated organization revoke the charter of the Student Organization. A Student Organization that maintains a residence or meeting facility on University Premises may not occupy or utilize

that facility unless and until the Student Organization returns to the status of a Student Organization in good standing.

**Educational Outcomes** may include, but are not limited to, educational programming, community service, interventions, restrictions, workshops, or other Outcomes determined to help develop the culture and community of a Student Organization. The [Office of Student Rights & Responsibilities](#) will determine educational Outcomes after consultation with the appropriate University Office(s), the governing body and/or affiliated organization of a Student Organization, organizational leadership, advisors, and/or other appropriate stakeholders as necessary.

## Appeal Procedures

Student Organizations do not have the right to appeal decisions made through the Partnership Process or Administrative Action. However, Student Organizations may appeal the decision of a SAB based on specified appeal criteria. The Student Organization must submit an Appeal Form, available through the [Office of Student Rights & Responsibilities](#), within five (5) business days of the SAB decision. If the leadership of a Student Organization submits an appeal, the Office of Student Rights & Responsibilities will consider Outcomes “on hold” pending a final decision unless otherwise determined or in cases in which an Student Organization was previously issued Interim Actions or an Interim Suspension. The [Honor Code](#) sets forth the procedure and criteria for the [Appeals Process](#). The Vice Chancellor for Student Affairs & Inclusive Excellence (or designee) will serve as the appellate officer for appeals submitted by Student Organizations.

## Revisions and Amendments

These procedures have been developed through engagement and discussion among a broad range of constituencies throughout the University community, including representatives and students from the Fraternity and Sorority Life Community, Undergraduate Student Government, Graduate Student Government, Athletics & Recreation, and Student Affairs & Inclusive Excellence staff members.

The University maintains the right to amend these procedures as deemed necessary by appropriate representatives from the [Office of Student Rights & Responsibilities](#), Student Affairs & Inclusive Excellence, Athletics & Recreation, and other departments. The Office of Student Rights & Responsibilities will communicate any substantive changes to these procedures to the University community in a timely manner. The Vice Chancellor for Student Affairs & Inclusive Excellence holds the final authority to revise or amend these procedures.